

Unionization Struggles on Paint and Cabin Creeks, 1912-1913

By Stuart Seely Sprague

THE fuel demands of the Kanawha salt works were so great that by the decade 1810-1820, much of the region was denuded of trees. Consequently coal replaced wood as a fuel source. Such a ready and steady market enabled West Virginia to rank second to Pennsylvania as a coal producer at a time when the mountain area was still attached to Virginia. As America industrialized following the Civil War, the nation made increased use of West Virginia coal. The Chesapeake & Ohio and the Norfolk & Western railroads leaped at the opportunity to lay track to nearly virgin coal lands. Frequently the coming of the iron horse changed a region's coal output from one of only local significance to one of regional and sometimes even national importance. The railroads came to West Virginia's Southern Coal Fields and its Flat Top Region in the late Nineteenth Century. They reached the Kanawha and New River fields when the Twentieth Century was young.

Small scale operations on Paint Creek date back to approximately 1870 when the Paint Creek Cannel Coal Company, using a narrow gauge railway, began operations. The Panic of 1873 led to less demand and lower prices with the result that the company suspended operations. Then, about 1875 some Pennsylvania investors bought up several thousand acres of coal lands and by 1880 "The Gulch," located at Fairfield, later known as Miami, was an active mine.¹ Around 1890 additional mines at Acme and Keystone were in production. The Dickinson Fuel Company began its Dry Branch operations in 1895. John Q. Dickinson, who was also President of the Kanawha Valley Bank, convinced the Kanawha Railway Company around 1896 to extend its roadbed to Ronda.² Though such events were not earthshaking, they did, when taken together, lay the foundations for the early Twentieth Century boom along the two creeks.

For in the 1890s Charles M. Pratt, one of the inner circle of the Standard Oil Company, purchased approximately 25,000 acres

¹ Charles Boone Crawford, "The Mine War on Cabin Creek and Paint Creek, West Virginia in 1912-1913," (master's thesis, University of Kentucky, 1939), 8-9.

² *Ibid.*, 10, 24-25.

of coal land for a minimal price. He knew that all that was required to turn a great profit on the transaction was the introduction of the steam locomotive. He was sure that in time the iron horse would invade the stillness of the creeks. In 1901 his Pratt Land Company leased fifteen thousand acres to the Paint Creek Colliery Company. By the fall of 1902 the Banner, Detroit, Green Brier, Grose, Hickory Camp, Morton, Mucklow, Nuckols, Paint Creek and Wacomah mines were operational. About ten per cent of the work force came from the immediate vicinity, an additional sixty per cent, within the Kanawha Valley and the remainder, from the coal fields of Eastern Kentucky, Western Virginia, Indiana and Ohio.³ On Cabin Creek large companies swallowed up smaller ones until the Consolidated Coal Company operated twenty-two mines on the right fork, while The Carbon Fuel Company of C. A. Cabell et als. of Charleston operated ten mines on the left fork. Other significant producers included John Laing and brothers Wyatt Coal Company at Eskdale, Giles, Laing and Sharon and J. C. Grimes et als. Wake Forest Mining Company at Wake Forest.⁴

Even before coal was mined on a large scale along Cabin and Paint creeks, the United Mine Workers of America were pledged to unionize all of West Virginia. The Union, in 1898, was able to obtain a favorable contract in Ohio with the understanding that the UMW would organize West Virginia. That way Ohio operators would not face a competitive wage disadvantage vis-a-vis West Virginia. In order to comply, the Union, some two years later, set up District #17 with headquarters at Montgomery, West Virginia. In the Kanawha Valley the UMW was quite successful, signing contracts with all the operators save those on Cabin Creek. The Union responded to the holdouts by calling a strike.⁵ The company version is that "the strike was ordered by officials of the union against the desire of the miners directly affected and . . . it was declared in the interest of the Ohio operators who desired to cripple their West Virginia competitors."⁶ Such a belief appears well founded since the miners returned to the pits in less than fifteen days.⁷ Management countered the union threat by offering free transportation to any miner to union controlled territory. Many

³ *Ibid.*, 6-8, 24-25.

⁴ *Ibid.*, 11-12.

⁵ *Ibid.*, 15-16, 18.

⁶ W. E. West.

⁷ Charles Frederick Carter, "Civil War in West Virginia Coal Mines," *The Survey* 30 (1913), 38.
Revised 198 (1913) 463.

went, but of those who accepted the offer, most became homesick and returned within the year.⁸

As coal mining went, the operators on the two creeks provided better working conditions than at most mines. Since the region had only been recently exploited on a large scale, the equipment was newer. Moreover the coal contained less slate and bone. A coal loader received 33 cents per ton loaded and might be expected to average ten to fifteen tons per day. Companies received about 90 cents per ton for "run of the mine" coal, and up to two dollars per ton for special grades. In short, the relationship between operators and employees was advantageous to both sides. Instances are even reported of miners' daughters marrying mine guards.⁹ But such amicability went up in smoke during the violence of 1912-1913.

Coal mining, by its very nature, generates grievances. The system of coal camps, scrip, company stores, "unsafe" practices, roof falls, explosions, cave ins, invites criticism. Union organizers found ready-made material with which to fire up men working in a dangerous trade. Hardships and dangers both real and imagined were magnified and the miners were stirred up. Charles Bierne Crawford, a native of the area, a former Secretary of a UMW local, a man whose father was a miner before him, a Justice of the Peace at the time of the outbreak of the trouble, a man who later interviewed participants on both sides, a man who was an insurance salesman and check weighman was familiar with the people concerned, is uniquely qualified to evaluate the situation as it was in 1912.¹⁰ Grievances, he believed, were highly exaggerated. Though company stores charged ten per cent more than independents did, the quality of their merchandise was also higher. Though companies did, indeed, send the names and descriptions of miners deemed undesirable to other coal companies, union miners were not black-listed unless they "had been persistently engaged in fomenting trouble at the instigation of Union agitators." Crawford declared that the system of docking coal loaders for slate and other impurities found in coal was necessary in the highly competitive coal business. Poor quality coal invited loss of business. According to Crawford, the "docking system was most leniently enforced."¹¹

⁸ Crawford, "Mine War," 22.

⁹ *Ibid.*, 24-25, vii.

¹⁰ *Ibid.*, *passim*.

¹¹ *Ibid.*, 39-40.

The UMW also demanded better sanitary conditions and UMW check weighmen.

Whether Crawford's assessment of the grievances, which is most favorable to the operators, is an accurate one is open to question. A state investigating committee found "in many instances an overcharge ranging from ten to twenty-five percent . . . at company stores."¹² Some contended that the miner would be better off had he not been required to buy top-of-the-line items. Additionally, by selling miners coming fresh into the mining camp everything their families needed for the first two weeks, a system of peonage existed. Only the frugal miner with a wife who knew how "to make much out of little or to conserve their resources" could ever expect to get out of debt.¹³

The operators were particularly upset by the check weighman issue, despite the fact that check weighmen were required by law. According to Charles Frederick Carter, whose "West Virginia Coal Insurrection" presents the strongest case for the operators, the following was true:¹⁴

To understand the significance of the "check-off," which was what the union officials were really manoeuvring to gain, and not an increase in wages for their adherents, it should be explained that in union territory every man working in a mine is compelled to belong to the union and take the union oath, or at least he must pay dues just as if he were a member. To make sure that he does pay, the "check-off" has been devised. This scheme is worked in various ways, but most frequently by means of the "check-weighman," who collects the dues directly, being given a number the same as the miners, and taking in rotation from each miner a car of coal or a certain weight of coal, which is credited on the books of the company to the "check-weighman." The "check-weighman" deducts his own compensation from the sums he collects and turns the balance over to the treasurer of the organization in satisfaction of the dues or assessments of the men from whom the sums have been "checked-off." This system avoids the possibility of neglecting to pay dues and assessments. This explains why the "check-weighman" is so strongly desired by the organization everywhere. The assertion that the "check-weighman" is needed to protect the poor miner from his dishonest employer is merely a specious pretext to deceive the credulous public.

From elsewhere there are too many cases of mis-weighing at the miner's expense to make the above an acceptable statement. On the other hand there were honest operators. When the United Mineworkers of America finally convinced the men of the Four States Coal Company, Dorothy, Raleigh County, West Virginia, to

¹² *Charleston Daily Mail*, December 4, 1912.

¹³ *West. Coal War*, 41.

¹⁴ Carter, "West Virginia Coal Insurrection," 464-465.

demand their own checkweighman, the demand was accepted. The miners now had to pay out of their own pocket for his services, yet the amount of coal in a ton remained the same. The company was honest.¹⁵ Likewise, prior to the labor conflict the company had no mine guards, as a result of the strike the company felt compelled to hire twenty-five. Published reports indicate that the Four State Mining Company was paying somewhere between 22 and 25 per cent above the union wage scale.¹⁶

The men hired as mine guards were as frequently as not connected with the Baldwin-Felts Agency of Bluefield, West Virginia. As a group they had a reputation that made the Wild West look tame. A contemporary article, "Civil War in West Virginia Coal Mines," expressed it as follows:¹⁷

These Baldwin guards . . . are engaged by the mining companies to do their "rough work" . . . In explanation . . . the operators say that their property must be guarded, that the state does not give them sufficient protection. Men who do service as mine guards cannot be expected to be "lady-like." They deal with desperate characters and are constantly in peril. . . . they are in the mines for a definite purpose. They understand what that purpose is and they have no hesitancy about "delivering the goods." They seem to have no illusions about their work. It pays well and if brutality is required, why, brutality "goes." . . . They go about their work in a purely impersonal way. If a worker becomes too inquisitive, if he shows too much independence, or complains too much about his condition, he is beaten up. . . . When a man joins the Baldwins he "picks up his gun," and that stamps him forever with his former associates if they were of the laboring class as an enemy who has turned his back on his class and his kind.

The state investigating commission that studied the Cabin and Paint Creek trouble termed the mine guard system "vicious, strife-promoting and un-American."¹⁸

The strike, which would necessitate sending in the state militia on three separate occasions before the strife was over, began on Paint Creek, April 1, 1912. The operators' inflexible viewpoint was printed in the *Charleston Daily Mail*:¹⁹ "The whole question at stake," they reported, "is the demand for recognition of the mine worker's union. This demand has been created and fomented entirely by outsiders, who came into these fields for this very purpose. It is a question we cannot and will not arbitrate." Such

¹⁵ *Steinsville Daily Oil Review*, August 22, 1912; *Clarksburg Daily Telegram*, October 20, 25, 1912; *January 1*, 1913.

¹⁶ *Ibid.*

¹⁷ *West*, "Civil War," 43-44.

¹⁸ *Charleston Daily Mail*, December 4, 1912.

¹⁹ *Clarksburg*, "Mine War," 23, quoting *Charleston Daily Mail*, April 1, 1912.

an attitude was typical of management-union relations of the time. Throughout the strike, the operators would continue to follow this line, though other issues also attracted their attention.

The miners on Cabin Creek, in time, became convinced that unionization would improve their lot; those on Paint Creek were unionized, but were being paid 2½ cents per ton less than all other UMW men in the Mountain State. The operators refused to make up the difference which would amount to an average of 15 cents per man per day. As a result 7,500 miners representing ninety-six mines stayed out and West Virginia was faced with its first major coal strike.²⁰ On May 6, the first detachment of Baldwin-Felts mine guards arrived in the trouble zone; on May 7, striking miners drilled in front of the company store at Mucklow.²¹ On May 8 the striking miners got a foretaste of the leverage the operators could use as the miners were served writs of eviction from their company-owned housing. The notices informed the men that they had ten days in which to vacate the premises. Such tactics failed to work as UMW organizers persuaded the strikers that if anyone chickened out and returned to work, he did so at his own risk.²² The mine guards were not the only people who could play it rough. It was the considered opinion of Charles Bierne Crawford that the "miners generally feared to go back to work."²³

The operators did not want to play into the hands of the UMW organizers. Faced with union solidarity, forced though it may have been, they allowed eviction day to pass without incident. The absentee miners' deadline was extended to June 20 and it was not until the twenty-fifth that the process of eviction began to be carried out. Such a process is always heart-rending no matter what the circumstances are. But with an atmosphere of hate pervading the air, the situation became even more disagreeable.²⁴ Already there had been violence. Earlier in the month one Italian was killed and one Black wounded when a band of strikers attacked, without success, property belonging to the Paint Creek Colliery Company at Wicomah. In addition, eight of the invading party were taken prisoners.²⁵ The eviction process continued without interruption with Baldwin-Felts agents grabbing the contents of the company

²⁰ Howard B. Lee, *Struggling in Appalachia* (Morgantown, 1968), 17.

²¹ Crawford, "Mine War," 25.

²² *Ibid.*

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Charleston Daily Mail*, June 5, 1912.

houses, tossing the goods into boxcars and unloading the miners' worldly goods some ten miles down the line off company property. The companies expected retaliation and prepared for it. Such behavior made the strike newsworthy.

But rather than fight a war of ambushes and pitched battles, the miners cagily convinced a former United States Deputy Sheriff, supported with three assistants, of the need to arrest mine guards hired out by the Baldwin-Felts Company. The Clarksburg *Daily Telegram* reported that "the miners are determined that the question as to whether they have a right to go where and do as they please so long as they are not violating any state law, shall be interfered with. They also object to the method by which they are being thrown out of their houses." The paper added that "it is also claimed by persons not employed in that section and who are not miners, that they have been treated badly and assaulted by guards, and that they have been forced to go aboard trains before they could complete their business."²⁶ M. F. Matheny, the lawyer on the side of the plaintiffs in the case of *Russe et al. vs. Paint Creek Colliers Company, The Imperial Collier Company, The Lackawanna Coal & Lumber Company, and the Standard Splint & Gas Company* declared for publication, that not only was he seeking an injunction against the mine guards, their use of a Gatling Gun, their forcible entry and evictions, but also he planned to go to Washington, D.C. to speak to the Postmaster General about mail deliveries on Paint Creek, to congressmen about setting up investigating committees in both Houses of Congress, and to the Italian Minister to the United States about the killing of one of their nationals.²⁷

Both sides expected more trouble and brought in additional arms. War surplus rifles were being sold at a fraction of their original cost, as were bayonets and swords.²⁸ There was scattered fighting but for the time being the situation was well under control. Then came the so-called Battle of Mucklow. Even before that 3,000 to 100,000 shot affair,²⁹ tension was building up. Less than a week before the big blowup, sixty Kentucky strikebreakers or "transportation men" were sent by rail to Mucklow, the train was fired upon in the vicinity of a strikers' tent colony at Holly Grove.³⁰ Losses at the Battle of Mucklow numbered four mine

²⁶ *Clarksburg Daily Telegram*, July 1, 1912.

²⁷ *Charleston Daily Mail*, June 28, 1912.

²⁸ *Ibid.*, July 8, 1912.

²⁹ *Buckley Messenger*, July 20, 1912; *Clarksburg Daily Tribune*, July 26, 1912.

³⁰ *Charleston Daily Mail*, July 20, 1912.

guards and sixteen strikers. Fearing anarchy, Governor Glasscock was forced to call upon the state militia.

Unfortunately, all of these units were supposed to be at their annual encampment at Mt. Gretna, Pennsylvania. Due to a mix-up in communications, one detachment was still in West Virginia. That unit was ordered immediately into the danger zone and fear was expressed for its safety.³¹ A special train was ordered to fetch the Mt. Gretna troops. They left their encampment at 4:50 p.m., reached Washington, D.C. at 9:10 that night and arrived at Cabin Creek at 9:25 the next morning. All other trains were sidetracked to allow the special train through. The Governor and citizenry of West Virginia were much relieved by the troops' arrival.³²

The terrain in the danger zone was described as consisting of "narrow ravines, forming almost an endless chain of miners cabins and coke ovens, while the steep hill sides are in most places thickly wooded, affording safe protection to an attacking party."³³ Newspapers exaggerated both the danger and the combat in the strike zone. A reliable source indicates that the so-called Battle of Mucklow took place when mine guards left their sleeping quarters for breakfast in the club house. The number of shots fired was several hundred instead of 3,000 to 100,000 as reported in the press.³⁴ A REGULAR HURRICANE OF BULLETS AWAKENED THE ECHOES AT MUCKLOW was the way the *Charleston Daily Mail* headlined its account.³⁵ The *Sistersville Daily Oil Review* warned that "the situation is alarming" for "the troopers are armed with improved high power regulation rifles and are instructed to quell the riot if possible . . . Several of the small villages have been raked with a perfect hail of lead, leaving many killed and wounded in the wake of the firing."³⁶ The *Charleston Daily Mail* went so far as to write that "there is an undercurrent of feeling throughout the region which will not down that there is murder in the hearts of many of those who would as lief pick off a mine guard or mine official as he would eat his dinner."³⁷

Such screaming headlines and emotional reporting were for the most part unjustified. The miners cheered the arrival of the state troops, believing correctly that these units would nullify the activities

³¹ *Charleston Daily Telegraph*, July 26, 1912.

³² *Charleston Daily Mail*, July 27, 1912.

³³ *Charleston Daily Telegraph*, July 26, 1912.

³⁴ *Charleston Daily Mail*, July 26, 1912.

³⁵ *Charleston Daily Mail*, July 26, 1912.

³⁶ *Sistersville Daily Oil Review*, July 27, 1912.

³⁷ *Charleston Daily Mail*, July 26, 1912.

of the by now much hated mine guards. The operators, for their part, transferred their Baldwin-Felts guards from Paint Creek to neighboring Cabin Creek to check union activities there. This was an understandable move, yet one that had unexpected consequences. For though the UMW had been desperately trying to convince Cabin Creek miners to strike, they had been unsuccessful.³⁶ But the presence of Baldwin-Felts agents appeared to support the UMW contention that a strike was in order.

At this critical point the UMW decided to use their trump card, that Queen of Hearts, the world's cussingest female octogenarian, Mother Jones. She arrived in later July and invited herself into the editorial offices of the *Charleston Daily Mail* to be interviewed. Her one-shot public relations campaign proved a success, for the editor found her to be a woman with a "fetching smile," who spoke in "well modulated" tones, who referred to the miners as "my boys." She gave the editor hell for stating that she preached socialism in one of her recent speeches. Said she, "I didn't preach socialism, I preached real revolution. . . . I told them that their jobs are their bread and butter and that they should fight for that at any and all times, for the comfort of their wives and babies depended upon it." The editor was impressed and eulogized her, declaring that "she is an ideal 'mother' for the miners to have, and she will fight their battles when even they have given up the effort themselves. She can make hair-raising speeches and has some good common sense ideas that she can explain so that any and all can understand."³⁷

Mother Jones was a labor agitator of the first order, a legend in her own time. Clarence Darrow, the liberal lawyer, stated that "in all her career, Mother Jones never quailed or ran away. Her deep convictions and fearless soul always drew her to seek the spot where the fight was hottest and the danger greatest. . . . Mother Jones was especially devoted to the miners. The mountainous country, the deep mines, the black pits, the cheap homes, the danger, the everlasting conflicts for wages and life, appealed to her imagination and chivalry."³⁸ With a tigress like that loose, it was to no one's surprise that she was next found in West Virginia's capital haranguing strikers and sympathizers. She declared on August 1,

³⁶ *Charleston Daily Telegram*, July 27, August 6, 8, 1912.

³⁷ *Charleston Daily Mail*, July 27, 1912.

³⁸ Clarence Darrow's foreword to Mary Field Patton (ed.), *The Autobiography of Mother Jones* (Chicago 1925; 1971 reprint), 341-342.

that "this fight will not stop until the last d - - - guard is disarmed . . . The whole d - - - d lot of them ought to get bullets in their skulls. . . . If the governor proclaims martial law, bury your guns."⁴¹ A friendly source verifies this transcription of the speech.⁴² Other versions of this fiery pep talk include such phrases as "you can expect no help from such a God damned dirty coward" as Governor William E. Glasscock," and "Arm yourselves, return home and kill every God damned mine guard on the creek, blow up the mines, and drive the damned scabs out of the valleys."⁴³ Reports of such rabble-rousing loose talk alarmed the operators, but they may have taken satisfaction in the fact that she was in Charleston rather than in the strike zone.

As was becoming customary, the press resorted to scare headlines. A BATTLE SEEMS IMMINENT screamed the August 3 *Sistersville Daily Oil Review*. The story was carried in caps:⁴⁴

Charleston 3:30 PM—THE GREATEST EXCITEMENT PREVAILS HERE . . . ABOUT 950 STATE TROOPS ARE MARCHING TOWARD MUCKLOW. THERE WILL BE NO ACTION TONIGHT AS THE SOLDIERS CANNOT REACH THE SCENE OF THE TROUBLE BEFORE DARK . . . THE ENTIRE COUNTRY-SIDE SEEMS TO BE IN SYMPATHY WITH THE STRIKERS . . . IT IS BELIEVED THAT THE SOLDIERY WILL NOT BE ABLE TO COPE WITH THE FORCES OPPOSING THEM . . . THE ENTIRE WEST VIRGINIA CONTINGENT IS NOW IN THE FIELD.

The paper added that the Governor planned to disarm if not to arrest mine guards as "henchmen of the coal companies" who were "as much at fault as the striking miners." Earlier in the month the Governor spoke to a miners' delegation but the substance of those conversations were not made public.⁴⁵

Soon thereafter Mother Jones invaded the strike district and spoke to miners at Eskdale on Cabin Creek. Her pitch must have been effective for two days later some five hundred Cabin Creek miners struck.⁴⁶ Operators complained bitterly that this speech broke eight years of peace.⁴⁷ Mother Jones, some two weeks later, proclaimed her intention of holding a meeting in the forbidden zone. The Clarksburg paper reported it under the title MOTHER JONES LOOKING FOR TROUBLE, IT SEEMS.⁴⁸ And of course, she

⁴¹ Crawford, "Mine War," 38 quoting the *Charleston Gazette* August 3, 1912.

⁴² *Ibid.*

⁴³ *See, Rindfleisch, 27.*

⁴⁴ *Sistersville Daily Oil Review*, August 3, 1912.

⁴⁵ *Ibid.* *Charleston Daily Mail*, August 3, 1912.

⁴⁶ *Charleston Daily Mail*, August 4, 11, 1912.

⁴⁷ *Charleston Daily Mail*, September 14, 1912.

⁴⁸ *Clarksburg Daily Telegram*, August 23, 1912.

was. Approximately nine years earlier she had received a six months suspended sentence with the understanding that she would never return to the Mountain State.⁴⁹ The author of a *Survey* article gives us a glimpse of the "aged woman" at this point in time:⁵⁰

I have been with Mother Jones when she was compelled "to walk the creek," having been forbidden to go upon the footpaths that happened to be upon the property of the companies and denied even the privilege of walking along the railroad track although hundreds of miners and others were walking on it at the time. She was compelled to keep to the county road although it was in the bed of the creek and the water was over her ankles. I protested to the chief of the guards saying that no matter what her attitude might be, no matter how much she might be hated, that she was an old woman and common humanity would dictate that she be not ill treated. I was told that she was an old "she-devil" and that she would receive no "courtesies" there, that she was responsible for all the trouble that had occurred and that she would receive no consideration from the companies.

I was with her when she was denied the "privilege" of going up the footway to the house of one of the miners in order to get a cup of tea. It was then afternoon, she had walked several miles and was faint, having had nothing to eat since an early breakfast. But that did not shut her mouth. She made the speech she had arranged to make to the men who had gathered to hear her although they had to line up on either side of the roadway to avoid "obstructing the highway," a highway that was almost impassable to a wheeled vehicle and on which there was no travel. And in that speech she counseled moderation, told the men to keep strictly within the law and to protect the company's property instead of doing anything to injure it.

Meanwhile, there was a flurry of activity in Charleston. An estimated fifteen hundred to two thousand strikers dressed in their Sunday best arrived on the first to talk with Governor Glasscock, but learned with chagrin that he was not in the city. Miners' representatives were again present on the sixth.⁵¹ In mid-August a miners' march on the capitol occurred. Spokesmen informed the governor that the use of mine guards was the strike's central issue. "Eliminate it," declared a union leader, "and we will sit down and settle the wage question in a few minutes."⁵²

Not all of the activity was of the strikers' own doing. Published accounts reported the sending of "transportation men" or strikebreakers being sent to Peytona and Sterling, Boone County.⁵³ At Boomer 1500 men walked out despite efforts of the UMW to keep these miners working. At Peytona a new contract was signed and celebrated with a picnic.⁵⁴ Reports of scabs being sent up Paint

⁴⁹ *Charleston Daily Mail*, September 17, 1912.

⁵⁰ West, "Civil War," 30.

⁵¹ *Clarksburg Daily Telegram*, August 1, 6, 1912.

⁵² *Ibid.*, August 15, 1912.

⁵³ *Ibid.*, August 9, 1912.

⁵⁴ *Ibid.*, August 9, October 12, 1912.

Creek were published on the thirteenth⁵⁵ and tension continued to mount during the remainder of the month. Soldiers had captured large quantities of arms and ammunition but no one realistically believed that that would bring peace. Both sides had kept sufficient supplies in reserve to carry on the war. Banner headlines such as **FAILURE TO AGREE MEANS BATTLE IN STRIKE ZONE** and **BLOOD WILL BE SPILLED TONIGHT** only made a bad situation worse.⁵⁶ Conditions were critical enough without headline rhetoric. The militia spent a busy month. Their prompt arrival at Eskdale, according to one account, was the only thing that prevented a major incident from occurring. On the other hand, an attempt to arrest a Kayford check weighman led to rioting at Dry Branch on Cabin Creek.⁵⁷ Deputy Sheriff T. J. Hines was killed and a miner, Russell Hodges, seriously wounded. The most ominous feature of this attack was the fact that previous to this occasion there had been no battles on Cabin Creek.⁵⁸

Strife escalated with the introduction of strike breakers and with union men on September first crossing the Kanawha River to join their striking brethren. The operators responded by strengthening their fortified positions and preparing for the upcoming blood-bath.⁵⁹ Though Governor William E. Glasscock had hoped that peace might prevail, he was forced to admit defeat in the form of declaring martial law. "I have," he declared, "vainly tried to quiet the situation and I issued a proclamation calling all persons to lay down arms in the hopes that both sides . . . would obey it in the spirit in which it was made."⁶⁰ A Justice of the Peace was awakened and found his house surrounded by the military. He was told that all his duties "as a civilian officer were to be taken over by the soldiers and that I was to surrender any guns or ammunition that I had in my possession."⁶¹ As a result of searches, seizures, and requests, some six machine guns, 480 blackjacks, 556 pistols and 1872 rifles were confiscated in short order.⁶²

Mother Jones returned to the scene, stoking the fires of discontent in her inimitable fashion. She responded to threats of arrest by declaring dramatically that "I would rather sleep in a cell

⁵⁵ *Ibid.*, August 13, 1912.

⁵⁶ *Ibid.*, August 13, 14, 20, 1912.

⁵⁷ *Ibid.*, August 20, 1912.

⁵⁸ *Charleston "Mine War,"* 40.

⁵⁹ *Charleston Daily Telegram*, September 3, 1912.

⁶⁰ *Ibid.*

⁶¹ *Charleston "Mine War,"* 42.

⁶² *Charleston Daily Telegram*, September 9, 1912.

than in a bed anyway."⁶³ Despite the presence of the militia, violent acts continued. First, there was the burning of a barn and an attempt to fire a tippie on the property of the Cabin Creek Consolidated Coal Company;⁶⁴ also there were notices posted at Mucklow to the effect that should the operators attempt to reopen their mine, it would be dynamited shut.⁶⁵ One week later arsonists attempted to burn the Superintendent's dwelling which was owned by the Carbon Coal Company at South Carbon. The company's tippie was also attacked but a shot from a sentinel sent the invaders scurrying for cover. Something or someone rolled down a sharp incline and the guard reasoned that he had wounded one of the attackers. Bloodhounds were placed on the trail, but the dogs were unable to track him down.⁶⁶ At this juncture the *Charleston Daily Mail* stated editorially that "a bad feature of numerous strikes has been applying of the torch to employing company's properties. When a strike has reached this stage, and with martial law prevailing, it has reached a very serious stage indeed."⁶⁷

The Governor proposed arbitration and the UMW accepted it. The operators, on the other hand, rejected it. They openly declared that they were "rather jubilant . . . by the anxiety of the United Mine Workers of America for arbitration." Part of their cockiness stemmed from the fact that they beat off the UMW in the preceding decade after a short strike, when the overriding issue was the check off.⁶⁸ In that instance M. T. Davis, spokesman for the companies, had offered to arbitrate the question as to whether everyone who worked at the mines were to be checked off or only those who so requested. But District #17 officials were intransigent and refused.⁶⁹ This time the roles were reversed with the union eager to arbitrate while management refused to come to the bargaining table.

The operators' hard line caused them to lose support from the Governor. Their behavior steeled the nerves of the striking miners and convinced the national leadership of the UMW to back the strikers financially. Thomas Cairns, president of UMW District #17, saw

⁶³ *Ibid.*

⁶⁴ *Charleston Daily Mail*, September 13, 1912.

⁶⁵ *Clarksburg Daily Telegram*, September 13, 1912.

⁶⁶ *Ibid.*, September 20, 1912; cf. *Charleston Daily Mail*, September 19, 1912.

⁶⁷ *Charleston Daily Mail*, September 19, 1912.

⁶⁸ *Ibid.*, September 14, 17, 1912.

⁶⁹ Crawford, "Mine War," 20.

the propaganda value of the hard nosed, tough line letters he had been receiving from the heads of the coal companies. One such letter, released to the press, read as follows:⁷⁰ "We cannot, in justice to our Company and its employees, and I may add the public interest, recognize or contract with your organization, or confer with representatives thereof." Stands like these that amounted to position papers, led the press to conclude that "there is but little likelihood of the operators agreeing to recognize the union. . . [despite the fact that] they met with the Governor this morning."⁷¹

Less than a week later, a spokesman for the Kanawha Coal Operators Association declared that the operators in other states were attempting to destroy the West Virginia coal industry by supporting unionization. Appropriate quotes from Ohio operators dating as far back as 1898 were amassed to support this contention. According to one such statement, an Ohio operator declared that "If you (the U.M.W. in Convention) were in the employ of the non-union fields you could not be working to their interest [that of the West Virginia coal industry] as effectually as you are now in trying to increase the comparative cost of Ohio coal, compared with" theirs.⁷²

Such a line of argument was pressed forward vigorously by the operators whenever the occasion allowed. In mid-January, 1913, Judge Dayton at Parkersburg, West Virginia, in his decision in the *Hitchman Coal & Coke Company vs. John Mitchell* used just such an argument, quoting from the "Proceedings of the Joint Conference of Coal Operators and Coal Miners of Western Pennsylvania, Ohio and Indiana held at Cincinnati March 8-29, 1910."⁷³ Such charges led to emphatic UMW denials of collusion. "Let me ask you," one UMW spokesman stated rhetorically, "has the organization ruined the industry in Illinois, Ohio, Pennsylvania and Indiana? No, the conditions in those states are better than they are here."⁷⁴ The situation was in reality far more complicated than that. When John P. White, president of the UMW testified, he too spoke out against the charge of attempting to destroy West Virginia's coal industry. "Our motive," he declared, "is just as lofty in West Virginia as it is in any other state."⁷⁵

⁷⁰ *Charleston Daily Mail*, September 14, 1912.

⁷¹ *Charleston Daily Telegram*, September 14, 1912.

⁷² *Charleston Daily Mail*, September 12, 1912.

⁷³ *Ibid.*, March 28, 1911.

⁷⁴ *Ibid.*, September 25, 1912.

⁷⁵ *Ibid.*, September 24, 1912.

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Colonel M. T. Roach, spokesman for the operators, blamed the national leadership of the UMW for pushing the strike and he claimed that "it will not be long until all the union operators are bankrupted."⁷⁶ One suspects that such a statement was dismissed by the union as mere company rhetoric. If the UMW did treat such talk lightly, they failed to understand the distinct disadvantages under which the West Virginia industry operated. The positions of the operators found their way into the final report of the state investigating committee that studied the Cabin and Paint Creek troubles. The fifty typewritten page report (a digest of 2500 pages of testimony) was released in early December and repeated the claim that out-of-state operators were working "hand and glove" with the UMW to unionize West Virginia coal. Also included in the final report was the contention "that the peculiar industrial conditions in West Virginia would render it ruinous and therefore impossible to recognize the Union."⁷⁷

Since the "peculiar situation of West Virginia," as the operators were wont to call it, presented one of the major stumbling blocks to a viable solution, a close look at the economics of West Virginia appears in order. Though the United States has always been considered as the land of free enterprise and laissez-faire, Pennsylvania interests were able to get freight rates fixed with the Interstate Commerce Commission on a Pittsburgh Plus basis. That is to say that the regulatory agency made possible a scale of freight rates that discriminated against West Virginia. Not content with a 9¼ cent advantage per ton in the Lake Trade (that is coal transported via Lake Erie), Keystone state lobbyists managed to have the differential jacked up to 19 cents per ton in 1912,⁷⁸ the year of the strike. Unlike the pioneer period when the Kanawha salt works used almost the state's entire coal production, West Virginia exported fully 90 per cent of its output outside its boundaries. Part of the problem was the backward state of its industrial development. Without such industrial capacity, the state's operators were at the mercy of federally imposed freight rates that unfairly punished West Virginia.⁷⁹ The stand of Pittsburgh operators was to declare the decision to open up the West Virginia coal fields an "economic

⁷⁶ *Ibid.*, September 27, 1912.

⁷⁷ *Ibid.*, December 4, 6, 1912. The *Mail* published the entire report starting with its December 4, 1912, issue.

⁷⁸ *West.*, "Coal War," 24-25; *Carver*, "West Virginia Coal Insurrection," 439.

⁷⁹ *Carver*, "West Virginia Coal," 436.

blunder" since the "Lake Traffic" could not absorb more coal than Pennsylvania and Ohio were producing.⁶⁰

Such a position grated the West Virginia coal industry. In the Mountain State "the operators were out after business and they cut prices to the limit in order to meet the competition," is the way one writer described the situation.⁶¹ According to the Secretary of the West Virginia Mining Association, labor became "simply a pawn in the game" as the cutthroat competition for markets continued.⁶² The warfare between Pennsylvania and West Virginia was sometimes open and aboveboard. The Chairman of the Board of the Pittsburgh Coal Company testified in 1911 as follows:⁶³

Q—If any change is made in the freight rate which will result in increasing your output that must necessarily result in a corresponding reduction in the competitor's (the West Virginia) field?

A—That is correct.

Q—And that is what you desire to accomplish?

A—That is exactly what we desire to accomplish.

Though coal prices in West Virginia were up a penny in 1911 over the previous year, some mines closed.⁶⁴ The problem, according to an article in the *North American Review* was that:⁶⁵

The Kanawha field has no market distinctly its own. It meets strong competition at every point, and has only been able to maintain its position by the exercise of skill in mining and by activity in soliciting business. The margin between the cost of production and the selling price is small when everything is running smoothly, and it is wiped out entirely when there is a shortage of cars or orders or other disturbing element.

Under such circumstances, the operators were extremely reluctant to parley with the UMW in any way or form. Quin Morton, Paint Creek operator of the Imperial Collieries Company and Christian Collieries Company made one of the strongest anti-union speeches that the state investigating commission heard. "I have employed union men and I have employed non-union men," he declared, "and I have found that when the United Mine Workers of America get their tentacles into the flesh of the operator they never let go."⁶⁶ In part such an expression merely reflected the climate of opinion of the time. Not until the late New Deal period would unions

⁶⁰ *Ibid.*, 409.

⁶¹ *Ibid.*, "Coal War," 38.

⁶² *Ibid.*, 40.

⁶³ *Ibid.*, "West Virginia Coal," 400.

⁶⁴ *Ibid.*, "Coal War," 40.

⁶⁵ *Ibid.*, "West Virginia Coal," 400.

⁶⁶ *Charleston Daily Mail*, September 24, 1902.

become respectable in the eyes of "solid citizens." But such behavior exasperated Governor Glasscock, who believed that his arbitration plans had been torpedoed by the operators. The *Clarksburg Telegram* reported the Governor as giving management a severe dressing down, declaring that it was "up to them to make a move toward putting an end to the fiasco."⁸⁷

The Governor selected C. Burgess Taylor of Wheeling to chair a conference intended to bring the two warring factions together. It was Taylor's opinion that West Virginia's lack of labor legislation—"workman's compensation act, . . . public utilities commission" and other similar acts with which "other great countries . . . successfully [settle] . . . labor disputes" was a key factor in preventing a solution to the coal strike.⁸⁸ Taylor believed that the Canadian system was worth studying, if not copying.⁸⁹ When in early December the state investigating commission released its report, it came out in favor of a "Compensation Act similar to Canada's Disputes Act."⁹⁰

Taylor's conference ended without a solution and the newspapers bombarded the people with eye-grabbing language. The *Sistersville Daily Review* spoke of the "Danger Zone" and opined that "the strikers are in an ugly mood."⁹¹ Actually, despite almost daily incidents of violence, tempers eased a bit. One day a picket in error wounded a fellow picket; on another occasion six guardsmen were fired upon without effect by unknown assailants at Eskdale. Three days later an exchange of gun fire took place on Dry Branch, Cabin Creek between soldiers and an armed body of strikers. Two days later soldiers were ambushed at Keeferton, Fayette County, but again escaped unscathed.⁹²

At this point in time the Union decided it was time to bring in the always fiery Mother Jones to rally Italians and others to the Union standard. Her efforts were only temporarily successful, for they deserted her a few days later.⁹³ Such a desertion enabled the Governor to send home six militia companies soon thereafter.⁹⁴ It appeared as if the operators had won the war. Management disposed of the mine guard issue by announcing that the ever un-

⁸⁷ *Clarksburg Daily Telegram*, September 23, 1912.

⁸⁸ *Ibid.*, September 24, 1912.

⁸⁹ *Charleston Daily Mail*, September 23, 1912.

⁹⁰ *Ibid.*, December 4, 1912.

⁹¹ *Sistersville Daily Review*, September 26, 1912.

⁹² *Charleston Daily Mail*, September 20-28, 1912.

⁹³ *Clarksburg Daily Telegram*, September 30, October 2, 1912.

⁹⁴ *Ibid.*, September 11, 1912.

popular Baldwin-Felts mine guards, the excesses of which had been reported to the state investigating commission,⁹⁴ would be replaced by natives of the county in which the mines were operating or where that was impracticable, by natives of adjoining counties.⁹⁵

The operators appeared to be winning even the battle in the court of public opinion. Management argued quite convincingly that conditions in the strike zone were excellent. That "the only reason some of them [the miners] were not at work was because of the fear of attack or assault."⁹⁶ Testimony was presented to the state investigating commission that miners were content with \$5.00 per day and an 18-20 day work month.⁹⁷ Strangely enough, such a figure was out of line with published reports given out by the Cabin Creek Consolidated Coal Company and the Carbon Coal Company and its subsidiaries. Those figures suggest that \$4.00-\$4.50 per diem were more usual as was a 17-19 day work month. Additionally, the average pay for day men including trapper boys was \$2.10, give or take two cents.⁹⁸ The operators pointed to the Four States Coal Company at Dorothy as a show case. That mining camp, declared the *Clarksburg Daily Telegram* was a model of cleanliness. "Sanitary conditions [there] are surpassed in no section of any city."⁹⁹ At Dorothy peace reigned. The miners won the right to hire their own check weighman and the strikers withdrew from the shacks of an abandoned lumber camp and returned to work.¹⁰⁰

By the end of October the withdrawal of the remaining troops was well underway.¹⁰¹ The soldiers had lost two men ingloriously: dead—one from typhoid; the other from ptomaine poisoning.¹⁰² Among the wounded was a militiaman who walked off a baggage car in his sleep¹⁰³ and the commanding general who suffered a painful shoulder injury when his railroad motorcycle derailed.¹⁰⁴ Despite the tension, the state troops had pretty well kept the lid on what at times was a critical situation. The commander and his troops could be proud of their accomplishments. Yet it must have been

⁹⁴ *Ibid.*, October 19, 1912.

⁹⁵ *Ibid.*, October 9, 1912.

⁹⁶ *Ibid.*, October 19, 1912.

⁹⁷ *Clarksburg Daily Mail*, September 27, 1912.

⁹⁸ *Clarksburg Daily Telegram*, October 23, 1912.

⁹⁹ *Ibid.*, October 27, 1912.

¹⁰⁰ *Ibid.*, October 20, 1912.

¹⁰¹ *Ibid.*, October 24, 1912.

¹⁰² *Clarksburg Daily Mail*, September 30, 1912.

¹⁰³ *Ibid.*, November 18, 1912.

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with a great deal of relief and joy that the troops looked towards a speedy return to civilian life.

But peace is a fragile, perishable commodity and volatile elements remained. There were tentfulls of bitter strikers; miners "afraid to work on account of threats."¹⁰⁵ Peace could die in a flash. One miner put it this way:¹⁰⁶

Hell is going to break loose here as soon as the troops are recalled unless the mine guards go out at the same time. They have it in for us and we have it in for them. As soon as the troops go out, we fellows who have been working to unionize this region are going to catch it. But when they start something the fun will begin . . . I have never had to kill a man and hope never to be compelled to kill one, but I would kill a dozen of these guards as I would kill so many rats if they should attempt to lord it over us as they have been accustomed to do. And I would do it with a perfectly clear conscience.

The number of men who returned to work was still some thousands short of "the number necessary to properly operate the mines."¹⁰⁷ Some militiamen were enticed by high wages to serve coal companies as mine guards. Such a policy was potentially explosive,¹⁰⁸ but not nearly as dangerous as the decision to send in scabs as the non-union transportation men were called.¹⁰⁹

The early November stories in the *Charleston Daily Mail* gave support to the thesis that a return to hostilities was inevitable. TERRIBLE CONDITIONS PREVAIL IN CABIN CREEK REGION declared an account of a "desperate" ill-clad female army.¹¹⁰ TROUBLE POT . . . ABOUT BOILING OVER. LIQUOR IN BIG QUANTITY; SIGHT AND SMELL OF BLOOD SET THE MINERS CRAZY were among the choicest anti-union headlines.¹¹¹

Indeed, the *Mail*, which until November had been relatively even-handed in its reports of the strike, became increasingly anti-union in its accounts of the disturbances along the two creeks. Opinions butted into what had formerly been news. The reader is left with no doubt as to what side the paper is on as to Mother Jones. "Mother Jones," the *Mail* declared, "who holds full sway with the strikers, remains in the strike zone despite the fact that her influence is looked upon by all law abiding people as a bad influence."¹¹² The region was described as being in a state of

¹⁰⁵ *Clarksburg Daily Telegram*, October 17, 1912.

¹⁰⁶ West, "Civil War," 45.

¹⁰⁷ *Clarksburg Daily Telegram*, October 18, 1912.

¹⁰⁸ *Ibid.*, October 21, 1912.

¹⁰⁹ Crawford, "Mine War," 44.

¹¹⁰ *Charleston Daily Mail*, November 4, 1912.

¹¹¹ *Ibid.*, November 5, 1912.

¹¹² *Ibid.*, November 8, 1912.

anarchy.¹¹³ The paper's management may have been frightened by the election returns from Cabin Creek. Socialists were swept into office and the district gave the Socialist candidate for Kanawha County Sheriff a tremendous boost. With returns from 13 of 27 or more Cabin Creek precincts the Socialist candidate received 1,262 votes to 568 for the Republican and 282 for the Democrat. This represents approximately 25 per cent of the Socialist vote for Sheriff as opposed to 8 per cent of the Republican vote and less than 5 per cent of the Democratic vote in the county. Had fuller returns been available, the size of the Socialist vote on Cabin Creek would appear even more dramatic.¹¹⁴

In the meantime companies attempted to ruin, financially, the UMW. From the days of Chief Justice John Marshall forward the law has tended to favor the landlord over the tenant, the contract over the consumer, the employer over the employee. Much of this pro-business bias is essential in order to keep the economy running smoothly. Unfortunately, it can lead to abuses. The operators took advantage of this judicial pro-business tilt to try to destroy the Union, its officials and anyone else whom they considered inimical to their interests. The companies claimed three-quarters of a million dollars in damages as follows: Cabin Creek Consolidated Coal Company \$250,000, Cabin Coal Company \$100,000, Republic Coal Company \$100,000, West Virginia Collieries Company \$100,000, Wyatt Coal Company \$100,000, Coalburg Collieries \$50,000, and Dry Branch Coal Company \$50,000.¹¹⁵

The operators were also working on another front. The *Mail* admitted that the strikes were "making a fight against the importation of men to take the place of the strikers, and their methods are proving effective."¹¹⁶ Companies redoubled their efforts at bringing in scabs and this just about guaranteed a return of violence. Whether the operators considered all the implications of their policy is not known, but the results are. By escalating the level of violence, by involving the Chesapeake & Ohio Railroad, the Governor's hand was again forced and troops returned to the strike district. The scenario went as follows. A Chesapeake & Ohio train made its way up the creek with an undetected cargo of strikebreakers. Once the miners discovered what happened they

¹¹³ *Mail*, November 8, 11, 1912.

¹¹⁴ *Mail*, November 8, 11, 1912.

¹¹⁵ *Chattanooga Daily Telegram*, November 8, 1912.

¹¹⁶ *Chattanooga Daily Mail*, November 11, 1912.

were furious and vented their wrath at the returning train just about half a mile above the junction.¹¹⁷ The next day Engine #6 arrived and the strikers were waiting for it. A crowd, probably overestimated at 250, swirled around the engine. Two passenger cars of transportation men were detached and the engineer ordered onward. A yard engine returned the strikebreakers to Charleston.¹¹⁸

Not only did the Governor order Company M to the Junction, but also he ordered them to escort the strikebreakers, who had been turned back, into the strike zone.¹¹⁹ Despite the presence of troops, engineers of the Chesapeake & Ohio were reluctant to forward strikebreakers up the creek. At least one trainload of transportation men was returned to Charleston as the result of timidity on the part of the engineers.¹²⁰ The companies sent as far away as New York City and Cleveland in their quest for professional strikebreakers.¹²¹

Soon the cold war erupted into a hot one. Mother Jones spirited away two wounded strikers and brought them to the East Coast and John Hopkins Hospital.¹²² It is quite possible that they were injured during one of the frequent exchanges of gunfire between train crews and striking miners. Threats and rewards were published in the papers: \$250 for information leading to the arrest and conviction of individuals responsible for shooting into Engine #281. One published note declared that, "I want to advise you, you better cut your scabbing out or you will be a scab all over."¹²³ Union wars, particularly before 1940, were not fought with kid gloves. Both sides brought in bruising, specialty teams to rough up the enemy.

Newspapers sensed the escalation of the conflict: BULLETS FLYING IN TROUBLE ZONE declared the Clarksburg *Daily Telegram*. "All day yesterday the crack of the rifle from the mountainside sang its song of vengeance," the paper declared, despite the fact that only one person, an engineer, was reported injured. The echoing gunfire doubtless made the situation appear more serious than it actually was. At approximately the same time that this action was taking place, 150 men from Boomer, intent upon cleaning up "the Paint Creek district . . . including the soldiers",

¹¹⁷ *Ibid.*, November 15, 1912.

¹¹⁸ *Ibid.*, November 16, 1912.

¹¹⁹ *Ibid.*

¹²⁰ *Ibid.*, November 18, 1912.

¹²¹ *Ibid.*

¹²² *Ibid.*, November 19, 1912.

¹²³ *Ibid.*

marched forward until challenged by a detachment of militia near Montgomery.¹²⁴ Once again a show of force proved effective.

While gunfire echoed in the ravines, a military tribunal was trying as many as thirty defendants at one time. Such action was contrary to the well-known Supreme Court case of *Ex Parte Mulligan*. In that case, coming out of the War Between the States, it was ruled that when civilian courts are in operation, civilians cannot be tried by military courts. Civilian courts were open during the Cabin and Paint Creek conflict, yet civilians were being tried by the military, contrary to *Ex Parte Mulligan*. Surprisingly, West Virginia's highest court ruled 4-1 upholding the system of a military tribunal.¹²⁵ In another test case, it was argued that during the War Between the States in Hardy County, West Virginia, authorities "seized men who they declared, sympathized with and aided and abetted, the rebels." On the other hand Harold W. Houston argued that "the American Courts, and the textbooks all say you cannot try a civilian by a military court. The right of trial by military court has been denied in England for over seven hundred years." The judge ducked the issue, ruling simply that the Circuit Court lacked jurisdiction in the case. Consequently, martial law was sustained.¹²⁶ The court continued to hand down guilty verdicts and sentences of from two years on up.¹²⁷ This tended to have a sobering effect upon the region.

One more it appeared as if the operators were riding high in the saddle. Transportation men continued to arrive: Twenty-five were reported detraining on November 21 and during the same week some thirty-five were imported from North Carolina and twenty-five more from the environs of Cincinnati.¹²⁸ By December 10, the papers reported that all the mines on Cabin Creek were in operation.¹²⁹ December was also the month in which the state investigating commission made its final report. The report tended to be soft on the operators. For example with respect to company housing, the report declared that the "rent, while perhaps slightly excessive, is not exorbitant."¹³⁰

Quite naturally, the commission's findings were hotly contested. W. E. West declared that the rate of return on company houses

¹²⁴ *Charleston Daily Express*, November 18, 1912.
¹²⁵ *Ibid.*, December 20, 1912.

¹²⁶ *Charleston Daily West Virginian*, March 12, 1913.

¹²⁷ *Charleston Daily Express*, November 12, December 2, 1912.

¹²⁸ *Ibid.*, December 14, 1912.

¹²⁹ *Ibid.*, December 2, 1912.

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could be calculated at 24 per cent and that "the houses are put up as much for the convenience of the companies as the miners. There would be no coal mined unless the miners had houses in which to live in."¹³¹ The report cut two ways. The stiff language aimed at the institution of the mine guard was rebutted by Charles Frederick Carter in an article written for the *North American Review*. "The true reason for the frenzied hatred manifested by the union towards the guards," he wrote, "was that the same agency which supplied the guards also furnished a highly efficient secret service which kept the guards informed of the outrages planned by the union."¹³²

From mid-December until early February there was relative peace on the two creeks.¹³³ There were incidents, however. On January 9, 1913, a mine of the Standard Gas & Splint Coal Company was set afire at Standard on Paint Creek. The fire raged out of control for at least three days.¹³⁴ On another occasion, a train that had left Mucklow traveled only a mile before volleys of fifteen shots from the base of a hill forced the crew to abandon all but the engine and caboose. Bloodhounds were later sent out but proved ineffective.¹³⁵ In another development, an innocuous Mr. Smith who lived in the vicinity of the tent colony of Holly Grove found dynamite planted under his residence. He had remained neutral in the war, but decided it was time to leave.¹³⁶

Events continued apace. "Along Cabin Creek, especially about Eskdale," reported the *Daily Mail*, " . . . nearly every passenger train that has passed, has either been fired upon from ambush, or has been stoned." Eskdale's Socialist mayor had absented himself during the sitting of the military court, but now he had returned. However, the situation was too much for a mayor of any political stripe to control. Mother Jones was reported back in the strike region, somewhere in the vicinity of Dorothy.¹³⁷ The company store of the Bituminous Coal Company and the Post Office at Eskdale burned. Quantities of gunpowder and shells stored in the building made the blaze impossible to handle.¹³⁸ On February 3, some three to five hundred rounds were fired into the town of Acme on the Ten

¹³¹ West, "Coal War," 49.

¹³² Carter, "West Virginia Coal," 408.

¹³³ Crawford, "Mine War," 46.

¹³⁴ Charleston Daily Telegraph, January 9, 11, 1913.

¹³⁵ Charleston Daily Mail, January 9, 1913.

¹³⁶ Charleston Daily Telegraph, January 8, 1913.

¹³⁷ Charleston Daily Mail, January 18, 1913.

¹³⁸ Ibid., January 22, 1913.

Mile Fork of Cabin Creek.¹³⁹ On the seventh, men "began shooting into the store and at the men who were working on the tippie" of the Paint Creek Colliery at Mucklow. Two nearby residences were also reported as being under fire.¹⁴⁰ "Our men," declared the mine superintendent, "fired back and the shooting lasted only a few minutes."¹⁴¹

With the railroad under nearly constant attack, it is not surprising that a plan was produced and set into operation by means of which the Chesapeake & Ohio Railroad would construct or modify existing stock to create an armored train. Reportedly, when the Huntington, West Virginia shop received the orders, the workers there were suspicious. Their fears were allayed, according to the same source, by the statement that its sole purpose was in order to protect the mails.

On February 7, 1913, however, Kanawha County Sheriff Boner H. Hill and six deputies augmented by fourteen mine guards left Charleston on the special train, dubbed "The Bullmoose Special." Their run from the state's capital city to Holly Grove has gone down in infamy, for when the train reached the strikers' tent city, machinegun fire sprayed the premises. When despite strenuous efforts on the part of the operators, Senate hearings on the Cabin and Paint Creek troubles were held, Sheriff Hill stunned the assembled Senators with his testimony. Said he, one of the operators exclaimed gleefully, "We gave them hell and had a lot of fun. Let's back up and give them another run." The testimony was given in the context of "sleeping miners and their families . . . [awakening] in the middle of the night to hear bullets ripping through their tents and shacks. A few strikers returned the fire with rifles, while screaming women and children fled into the wintry night, clad only in their scanty night clothes."¹⁴²

That is good fiction but does not square with contemporary accounts. For by this time the tent city was deserted, save for a tent or two from whence plumes of smoke arose.¹⁴³ According to a pro-company account that appeared in the *North American Review*, the following is the true story:¹⁴⁴

¹³⁹ *Ibid.*, February 3, 1913.

¹⁴⁰ *Ibid.*, February 8, 1913.

¹⁴¹ *Charleston Daily Mail*, Feb. 8, 1913.

¹⁴² *See*, *ibid.*, February 8, 1913.

¹⁴³ *Charleston Daily Mail*, February 8, 1913; *Clarksburg Daily Telegram*, February 8, 1913.

¹⁴⁴ *Canal, "West Virginia Coal,"* 467.

Early in February, 1913, after martial law had been declared off for the second time, the town of Mucklow was attacked by union forces. In response to telephone messages the Sheriff of Kanawha County started at night to the relief of Mucklow on a special train which included an armored car mounting two machine-guns that the Chesapeake and Ohio Railway had been obliged to equip and man to protect its property. The Sheriff was warned that the train was to be attacked at Holly Grove. Just below this point those on the train saw a considerable number of women gathered before a lighted cabin, and rightly concluded that the union warriors had sent their women and children out of danger. In another moment the train was fired upon. Every window in the train was shattered, but no one on board was wounded.

This tale is suspect on numerous grounds. The Battle of Mucklow to which this was allegedly a response did not take place until three days after the machine-gunning of Holly Grove. The engineer was reportedly wounded.¹⁴⁵ Unless the leadership of the Chesapeake & Ohio Railway had rocks in their head, they would not have repaired the broken windows on the passenger cars that had constantly been under attack. It may have been an honest mistake, that when the "Bullmoose Special" returned to Charleston, Carter's source was shocked to see all the windows out. There was no need to warn the Sheriff of the danger at Holly Grove for attacks at that point had become routine. If officials of the Chesapeake & Ohio were forced to man the machine guns, why didn't they? It appears that mine guards and deputies and a few operators were acting as gunners. As to the earlier version, it is worth asking why there were not heavy casualties, why women and children were not killed? The answer is that the townsite had already been virtually abandoned.

On February 10 the Battle of Mucklow occurred. Two mine guards and a bookkeeper were killed and another mine guard wounded. On the same day a miner, Cesco Estep was buried and Mother Jones gave a heated funerary oration in the course of which she urged the strikers to shoot the operators to hell.¹⁴⁶ The *Charleston Daily Mail* predicted more bloodshed, declaring that "a pitched battle is imminent at all times" and that "more vigorous warfare than ever [seen] before in the county of Kanawha is expected." The paper drew a very dismal picture of the area's future:¹⁴⁷ "The woods are reported lined on all sides by strikers and they are inviting trouble. Most of them are well entrenched behind logs and other fortresses." Once again the Governor called out the troops.

¹⁴⁵ *Charleston Daily Mail*, February 8, 1913.
¹⁴⁶ *Ibid.*, February 10-11, 1913.
¹⁴⁷ *Ibid.*, February 10, 1913.

Once more the union position appeared most critical. Coal was being mined at near capacity;¹⁴⁸ the press was becoming less and less favorable to the union cause. Mother Jones, soon after making a speech at Long Acre, two miles below Boomer on the Kanawha & Michigan Railroad, in which she told the miners to "buy guns and buy good ones . . . I will tell you when and where to use them,"¹⁴⁹ was arrested.¹⁵⁰ Socialists such as Walter Parsons and John W. Brown who ran for the state legislature and Charles H. Boswell, editor of the Charleston *Labor Argus*, were also arrested.¹⁵¹ The UMW was becoming stripped of its allies.

As it turned out, arrests and desertions were not as significant as the fact that on March 4, 1913, a new governor, Henry D. Hatfield was to be sworn in. A strange lull settled over the deeply scarred, strife-ridden region. Perhaps it was in anticipation that the former physician might find the proper medicine for the labor complaint. Perhaps the arrests and the reintroduction of troops knocked the wind out of the sails of would-be activists. In any event, the new governor went to the troubled zone in person and declared that, "I expect to spend most of my time in the military district until this trouble is settled." His background as a medical doctor enabled him to minister to the needs of the sick and ailing. He was personally acquainted with a number of patients, for he had at one time practiced in the Pocahontas and Thacker coal fields. Hatfield declared that "no injustice will be done to any citizen."¹⁵² By the 20th, the Governor had visited Colcord, Crown Hill, Dorothy, Eskdale, Holly Grove, Kingston, Mucklow and Pratt.¹⁵³ He was both patient and daring. Daring in that he did visit union leaders and even the jailed Mother Jones in an era when being seen with union spokesmen was considered political suicide. Patient in that he did not issue any strong law and order commands at the time; that he did not take any action that would lead towards a confrontation.

The coal operators were furious and they sent a delegation, headed by Charley Cabell, to call on the Governor. Charley Cabell, their spokesman, called into question the wisdom of Hatfield's visits into the strike zone. They hated the Governor's attitude of,

¹⁴⁸ *Coalfield*, "Mine War," 50.
¹⁴⁹ *Charleston Daily Mail*, February 12, 1913.
¹⁵⁰ *Ibid.*, February 11-14, 1913.
¹⁵¹ *Ibid.*, February 11, 12-14, 1913.
¹⁵² *Ibid.*, March 15, 1913.
¹⁵³ *Ibid.*, March 18-20, 1913.

as they put it, "toadying to the demands of the damned strikers." Perhaps it was the haughty, insolent manner in which the operators expressed themselves, but regardless of motivation, the Governor responded immediately and with a directness that would have delighted a Theodore Roosevelt. Hatfield decked Cabell with a blow to the head and ordered the delegation out of his chambers with a stern warning: "Gentlemen, you are not giving the orders now, you are taking them. This madness has got to stop. The state's general taxpayers have already contributed more than a million dollars . . . If you and your workers can't agree on terms . . . I shall dictate them."¹⁵⁴ In fairness to Cabell, it should be pointed out that the overbearing manner of the operators was part of the spirit of the times. In the preceding decade Theodore Roosevelt had declared that "I never knew six men show to less advantage" than the representatives of the coal operators involved in the 1902 Anthracite strike.¹⁵⁵ In his autobiography Theodore Roosevelt declared that their "obstinacy was utterly silly . . . and well-nigh criminal from the standpoint of the people at large."¹⁵⁶ C. A. Cabell actually was one of the region's most paternalistic capitalists. As President of the Carbon Fuel Company, he paid \$40,000 to buy out a saloon operating near his company's operation and spent further thousands constructing the region's first YMCA and equipping it with a "pool," library, reading room, bowling alley and movies.¹⁵⁷

Governor Henry D. Hatfield, perhaps with his resolve strengthened by the attitude of the operators, stated publicly his belief that "it is infinitely more important that peace be restored and law and order permanently established than that past offenders be punished."¹⁵⁸ Soon the President of the United Mine Workers of America, John P. White, was in Charleston¹⁵⁹ and a contract was signed April 29, 1913, giving the strikers a two and one-half cent per ton increase and recognizing the union. The Governor set a deadline beyond which no man could remain within the tent colony at Holly Grove. The day came and went without incident. In Governor Hatfield both the operators and the strikers had met their match.¹⁶⁰

¹⁵⁴ Lee, *Birmingham*, 45-46.

¹⁵⁵ Theodore Roosevelt to Joseph Bucklin Bishop, October 3, 1902, Eling E. Morison *The Letters of Theodore Roosevelt* (Cambridge, 1951), III, 341.

¹⁵⁶ Theodore Roosevelt, *An Autobiography* (New York, 1920), 467.

¹⁵⁷ Crawford, "Mass War," 30.

¹⁵⁸ *Charleston Daily Mail*, March 23, 1913.

¹⁵⁹ *Ibid.*, March 24-26, 1913.

¹⁶⁰ Crawford, "Mass War," 32.

They had met their match but there remained unsettling aspects of the conflict. The fact that neither side understood the views of their adversary boded ill for the future. "Whenever, I went to see him," a writer declared with respect to the Secretary of the West Virginia Mining Association, ". . . he immediately produced account books, and books of statistics and began giving me figures. The whole case of the operators, he seemed to think, could be shown by the books and the balance sheet. He told me of tonnage, cost of production, railroad freight rates, yield on investment, the yield of competitive fields and the cost of operation in those fields, capitalization and rates of dividends. But of the human side, he had substantially nothing to say. Of the outrages of the miners—and they have been numerous—he spoke with bitterness, but of the outrages committed upon them he was silent."¹⁶¹

The union and Mother Jones in particular were not interested in the economic statistics that made the position of West Virginia coal operators somewhat precarious. The traditional anti-operator rhetoric and cuss words charged up the miners emotionally, but it failed to lead to an understanding. Discriminatory freight rates was every much an enemy to union miners as it was to the operators, but it was not perceived as such. Both the operators and the strikers considered the situation as an epic struggle between the forces of goodness represented by themselves and the forces of evil represented by their opponents. Under such a system of belief, Governor Hatfield could not bring about an understanding though he did manage to dictate a peace.

The Paint and Cabin Creek strike was a pivotal struggle for unionism in the new coal areas of the boarder states and the South. F. Ray Marshall in his *Labor in the South* declared that "because of the size of its coal fields, the easier access to its seams, its thicker veins, and lower wages, no area posed a more serious threat to the UMW during its early days than West Virginia."¹⁶² As early as 1908 John Mitchell had warned his union that "you cannot be permanently safe, you cannot rest in security until West Virginia, The Irwin field, the Connellsville and Meyersdale regions of Pennsylvania are organized."¹⁶³ That is to say that it was necessary

¹⁶¹ West, "Coal War," 40.

¹⁶² F. Ray Marshall, *Labor in the South* (Cambridge, 1907), 75.

¹⁶³ John Mitchell and Philip Tapp, *History of Labor in the United States, 1906-1912* (New York, 1916), 120.

for the UMW to expand into areas of expanding production. If it failed to do so, the union's ability to effectively influence wages and working conditions through bargaining would decline. In that sense, John Mitchell proved prophetic. A decade later West Virginia's nonunion mines would be the heart of the industry, driving one firm after another in the Central Competitive Field (Pennsylvania, Ohio, Indiana, Illinois) to go open shop. The failure of 1912-1913 was felt in union circles for two decades.